

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Endowments Department – Appeal Petition filed by Sri U.Rama Krishnam Raju, Ex.Executive Officer, Sri Mohana Ranganayaka Swamy Temple, Arandalpet, Guntur against the orders of the Commissioner of Endowments Department, dt:27-03-2002 – Appeal allowed – Modified the Punishment - Reversion to the cadre of Senior Assistant -Reinstated into service – Orders – Issued.

REVENUE (VIG.IV.3) DEPARTMENT

G.O.Ms.No. 367

Dated:26-04-2010.

Read the following:-

- 1)Orders of the Commissioner, Endowments Dept, Rc.No.V1/66530/95, dt.12-10-2000.
- 2)Orders of the Commissioner, Endowments Dept, Rc.No.V1/66530/95, dt.27-03-2002.
- 3)Appeal Petition Endt.No.485/M(Endts, S&R)/2010, Dt:04-02-2010 filed by Sri U.Rama Krishnam Raju, Ex. Executive Officer, Sri Mohana Ranganayaka Swamy Temple, Arandalpet, Guntur revision petition dt.nil.

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ORDER :-

In the reference 3rd read above, Sri U.Rama Krishnam Raju, Ex. Executive Officer of Sri Mohana Ranganayaka Swamy Temple, Arandalpet, Guntur has submitted that the Deputy Commissioner of Endowments Department, Guntur framed as many as (8) eight charges against him on 06.12.1995 stating that he had committed certain irregularities while registering the land in favour of 3rd parties. Later, five additional charges were also framed against him on 20.02.1996. The then Assistant Commissioner of Endowments, Nellore enquired into the above charges. The appellant has submitted that the Commissioner of Endowments Department, while holding that all charges were proved has issued orders awarding the punishment of reversion as Temple Clerk vide his proceedings dt.20.11.1998. Aggrieved by the above, he filed O.A.No.6484 of 1999 and the Andhra Pradesh Administrative Tribunal, in its order dt.17.11.1999 while setting aside the orders of Commissioner of Endowments Department, ordered the Commissioner of Endowments Department to issue a show-cause notice to the applicant, examine his explanation and pass appropriate final orders. Accordingly, he submitted his further representation on 19.05.2000 and the Commissioner of Endowments Department has issued orders imposing a punishment of reversion to the post of Senior Assistant vide his proceedings dt.12.10.2000.

2. Sri U.Rama Krishnam Raju, Ex. Executive Officer also submitted that, he again filed O.A.No.6912 of 2000 against the said order and that the Hon'ble Andhra Pradesh Administrative Tribunal in its order dt.29.12.2000, while setting aside the orders of Commissioner of Endowments Department had remitted the case back to the Commissioner of Endowments Department for passing a speaking order. In pursuance of the orders of the Andhra Pradesh Administrative Tribunal, the Commissioner of Endowments Department issued orders awarding a punishment of Compulsory retirement of the applicant from service vide his proceedings dt.08.10.2001. Sri U.Rama Krishnam Raju again filed O.A.No.8734 of 2001 and the Hon'ble Andhra Pradesh Administrative Tribunal in its order dt.19.12.2001, while setting aside the above orders directed the Commissioner of Endowments Department to pass a speaking order giving his findings on each of the contention raised by the applicant

:: 02 ::

with reference to the enquiry report. The Commissioner of Endowments Department has issued a speaking order vide his proceedings dt.27.03.2002 imposing the same penalty of Compulsory Retirement. The applicant again filed O.A.No.4706 of 2002 and the Andhra Pradesh Administrative Tribunal in its order dt.29.12.2006 directed the applicant to file an appeal before the Government against the orders of Commissioner of Endowments Department within a period of 4 (four) weeks and the Government to consider the appeal by condoning the delay in filing the appeal and pass appropriate speaking orders within a period of 12 weeks.

3. Sri U.Rama Krishnam Raju, Ex. Executive Officer, has further submitted that he could not file any appeal before the Government within the stipulated time due to mental agony. He submitted in his appeal now filed before the Government that he served the Department honestly for a period of 21 years and only to honour the agreement entered into by the Hereditary Trustee he registered the land in favour of 3rd parties. He also submitted that he had not misappropriated the sale proceeds nor the temple funds. He has also submitted that he is having only 6 months of leftover service for retirement and if the Government considers his case sympathetically and reinstate him into service, he will retire from service peacefully.

4. Sri U.Rama Krishnam Raju, Ex. Executive Officer therefore, requested the Government to kindly consider his request and order for reinstatement into service.

5. The Government have gone through the impugned orders passed by the Commissioner of Endowments Department, as well as the contentions raised by the Petitioner in his appeal in pursuance of the orders of the Tribunal dt:29-12-2006 in O.A.No.4706 of 2002. It is found that the allegations on which the punishment of reversion as temple clerk initially imposed by the Commissioner and subsequently enhanced to that of compulsory retirement appear to be not so grave in nature warranting such a severe punishment of compulsory retirement especially when there is no pecuniary loss caused to the temple.

6. The Government after careful examination of the matter have taken a lenient view keeping in view the appellant's length of service rendered in the Department and decided to modify the punishment of compulsory retirement awarded by the Commissioner of Endowments Department to that of reversion to the cadre of Senior Assistant as ordered earlier by the Commissioner of Endowments Department in his Proceedings Rc.No.VI/66530/95, Dated : 12-10-2000 duly condoning the delay in filing the Appeal. The Appeal is accordingly allowed.

7. Hence, the Government hereby modify the punishment orders issued by the Commissioner of Endowments Department in the reference 2nd read above against Sri U.Rama Krishnam Raju, Ex.Executive Officer, Sri Mohana Ranganayaka Swamy Temple, Arandalpet, Guntur to that of reversion to the cadre of senior Assistant as earlier ordered by the Commissioner of Endowments Department by his proceedings 1st read above. The Commissioner of Endowments Department shall reinstate Sri U.Rama Krishnam Raju, Ex. Executive Officer, into service as Senior Assistant in the Department forthwith and report compliance to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.V.RAMANA CHARY,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri U.Rama Krishnam Raju, Ex. Executive Officer,
Sri Mohana Ranganayaka Swamy Temple, Arandalpet, Guntur
(through the Commissioner, Endowments Department)

Contd 3rd Page...

:: 03 ::

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The Commissioner, Endowments Department, Hyderabad.
P.S. to Minister (Endts)
P.S. to Prl.Secy (Endts)
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// FORWARDED :: BY ORDER //

SECTION OFFICER.